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# The Third Sex: The Idea of the Hermaphrodite in Twelfth-Century Europe

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ONE OF THE MOST productive points of contact between feminist scholarship and poststructural thought has been their mutual interest in sexuality and the body.<sup>1</sup> From both feminist and poststructuralist perspectives, sexuality has increasingly come to be seen not as biological but as a cultural construction, subject to fashioning and redefinition under pressure from social forces and juridico-political power.<sup>2</sup> This trend in many respects crystallized in Thomas Laqueur's 1990 study, *Making Sex*, which denies entirely the naturalistic and biological basis of sexual difference. Laqueur argues that the bifurcation of sexuality (between male and female sexes) occurred unexpectedly late in Western history, at the point in the eighteenth century when medical science emerged as the dominant discourse about the body. Prior to that development, Laqueur claims, the only available model of sexuality had been the so-called one

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<sup>1</sup>Some of the fruits of this scholarship have been gathered together in Michael Feher, Ramona Naddaff, and Nadia Tazi, eds., *Fragments for a History of the Human Body*, 3 vols. (New York, 1989).

<sup>2</sup>See, e.g., Donna Haraway, *Simians, Cyborgs and Women: The Reinvention of Nature* (London, 1991); Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London, 1990); and Michel Foucault's *History of Sexuality*, trans. Robert Hurley, 3 vols. (New York, 1978–86).

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sex framework, which posited sexual differences as simply variations on a single, essentially male nature.<sup>3</sup>

Laqueur's challenge to the biological foundation of sexual difference has been controversial for a number of reasons. In his view, gender differences precede distinctions of sex, and ultimately there are no independent criteria for deciding between a monological and a binary interpretation of sex.<sup>4</sup> Although it may be possible to dispute specific elements of Laqueur's explanatory framework,<sup>5</sup> his thesis (and the work of those who adopt a similar stance)<sup>6</sup> opens up entirely new possibilities for the understanding of human sexuality and its relation to social, political, and cultural forces.

Among the consequences of adopting the basic approach of Laqueur and other recent students of human sexuality is the realization that the boundary between male and female has not always been drawn as strictly as is presently assumed. In this vein, many scholars have begun to devote attention to constructions of sexuality that transgress the conventional dichotomous gendering of the body. Cross dressing, masculine women (or viragos), homosexual and homoerotic practices (sometimes called "sodomy")—all are counted in the common currency of scholarship on sexuality.<sup>7</sup> This represents a significant revision of historical inquiry; only when the mutability of gender identity is acknowledged do transgressive sexual practices and identities become visible.

Often included in this loose grouping of unconventional sexualities is the hermaphrodite. The very term "hermaphrodite" requires some ex-

<sup>3</sup>Thomas Laqueur, *Making Sex: Body and Gender from the Greeks to Freud* (Cambridge, MA, 1990), pp. 5–8.

<sup>4</sup>*Ibid.*, p. 19.

<sup>5</sup>The final verdict on Laqueur's research has by no means been returned, but some of the initial criticisms seem valid. For instance, Joan Cadden, in *Meanings of Sex Difference in the Middle Ages* (Cambridge, 1993), doubts whether the ancient and medieval evidence for the total hegemony of the one-sex model is so unequivocal as Laqueur suggests (Cadden, pp. 2–3). Sally Shuttleworth's review of *Making Sex* accuses Laqueur of ironing "out contextual complexity" for the sake of advancing his interpretation (*Journal of the History of Sexuality* 3 [1993]: 634). Peter Laipson's review article questions the explanation Laqueur adduces for the rise of the two-sex model ("From Boudoir to Bookstore: Writing the History of Sexuality," *Comparative Studies in Society and History* 34 [1992]: 640). And in an extremely critical review, Katharine Park and Robert A. Nye argue that Laqueur's "distinction between the two models blurs into a haze of contradictions," due to an incomplete or one-sided reading of the sources ("Destiny Is Anatomy," *New Republic* 204 [February 18, 1991], p. 54).

<sup>6</sup>For example, Ann Rosalind Jones and Peter Stallybrass, "Fetishizing Gender: Constructing the Hermaphrodite in Renaissance Europe," in *Body Guards: The Cultural Politics of Gender Ambiguity*, ed. Julia Epstein and Kristina Straub (New York, 1991), pp. 80–111, who acknowledge their debt to Laqueur on p. 106, n. 2.

<sup>7</sup>The contributions in Epstein and Straub, eds., are illustrative of the range of interests stimulated by the "new" studies of sexuality.

amination. As Carla Freccero has argued, the hermaphrodite connotes "a monstrous hybrid, characterized not only by a merging of the two sexes, but by the deformation of each required to effect the union."<sup>8</sup> Although sometimes conflated with the "androgyné," the image of the hermaphrodite emerged from a distinct cultural tradition: the idea of androgyny derives from Aristophanes' speech in Plato's *Symposium*, while hermaphroditism originates in the tale of Hermaphroditus and the Fountain of Salmacis recounted by Ovid in his *Metamorphosis*.<sup>9</sup> Whereas the Platonic androgyné aspires to a unity that transcends gender (and possibly sex), the Ovidian hermaphrodite promotes and proliferates sexual difference. Consequently, the hermaphrodite raises important questions in relation to the conventional binary conception of gender, especially prior to the rise of modern medical science. Were hermaphrodites simply poorly formed examples of male or female sexes (as advocates of the two-sex theory would have it)? Or did they stand somewhere in the middle of a hierarchical continuum of gender, not quite effeminate men but more than viragos (as the one-sex model requires)? Or yet again should hermaphrodites be treated as a separate sex, partaking of elements of male and female while retaining a nature and identity unlike any other?

The latter is a possibility that has not been carefully explored in the scholarly literature.<sup>10</sup> But that hermaphrodites may at some times have been understood as a third sex, a biologically distinct sort of human being, is indeed more than just a logical possibility. We argue that during the twelfth century in Europe, at least, a great deal of medical, philosophical, legal, and literary evidence points to a widespread belief in the

<sup>8</sup> Carla Freccero, "The Other and the Same: The Image of the Hermaphrodite in Rabelais," in *Rewriting the Renaissance*, ed. M. W. Ferguson, M. Quilligan, and N. J. Vickers (Chicago, 1986), p. 149.

<sup>9</sup> There is a growing literature on the classical image of the hermaphrodite. See Aileen Ajootian, "Natus biformus: Hermaphrodites in Greek and Roman Art" (Ph.D. diss., Bryn Mawr College, 1990), "Hermaphroditos," in *Lexicon Iconographicum Mythologiae Classicae* (Zürich, 1990), 5:268–85, and "The Only Perfect Couple: Hermaphrodites and Gender," in *Body Image and Gender Symbolism: Feminist Theory and Classical Archaeology*, ed. A. O. Koloski and C. Lyons (in press); Georgia Nugent, "This Sex Which Is Not One: Deconstructing Ovid's Hermaphrodite," *différences* 2 (1990): 160–85; A. Rauchs, *Zur Iconographie des Hermaphrodite* (Frankfurt am Main, 1990); S. Viarre, "L'androgynie dans les *Metamorphoses* d'Ovide: A la recherche d'une méthode de lecture," in *Journées Ovidiennes de Parménie: Acts du Colloque sur Ovide*, ed. J. M. Frecaut and D. Porte (Brussels, 1985), pp. 229–40. We thank Ken Kitchell for aiding us in the identification of these sources.

<sup>10</sup> A very recent collection, however, has begun to explore some of the anthropological and historical evidence for proliferate sexuality in both Western and non-Western cultures. See Gilbert Herdt, ed., *Third Sex, Third Gender: Beyond Sexual Dimorphism in Culture and History* (New York, 1994). No attempt is made there, though, to explore the evidence in the West prior to the eighteenth century.

uniqueness of the hermaphroditic nature. This does not mean, of course, that hermaphroditism lost its transgressive or pejorative implications. Nor did the existence of a third sex undermine the universality of the two-gender model. Rather, we endorse Laqueur's conclusion that the two-gender model does not entail the postulation of two (biological) sexes. In fact, the recognition of three sexes demanded more precise and disciplined regulation and enforcement of gender boundaries.

#### HERMAPHRODITE STUDIES TODAY

Scholars who wish to examine the history of cultural as well as medical attitudes toward the hermaphrodite have at present a wide array of specialized studies at their disposal.<sup>11</sup> But given the sheer volume of recent investigations, some remarkable lacuna still exist in the literature. Most obviously, there has been a disproportionate concentration on the period between about 1500 and about 1800, that is, between the Renaissance and the dawn of Enlightenment medical science. The singular fascination for these three centuries is difficult to explain, not only in light of the strong classical interest in intersexuality but also in virtue of persistent references to hermaphrodites in a wide range of medieval Latin texts.

The problem is compounded by inadequacies in those studies that do explore the idea of the hermaphrodite in the premodern period. Julia Epstein has provided perhaps the most extensive (though still relatively compressed) examination of pre-Renaissance attitudes toward hermaphroditism. But Epstein, whose field of specialization after all lies in the modern period, fails to do justice to classical and medieval views of the hermaphrodite. For instance, she attributes to Aristotle (without a specific citation) the position that "hermaphroditic individuals . . . [are] produced by natural causes."<sup>12</sup> According to her, Aristotle's natural history holds that "there is no absolute distinction between the sexes in either animal world or human, but instead simply variations on a continuum whose midpoints are less densely populated than its outer edges."<sup>13</sup>

<sup>11</sup> Lorraine Daston and Katharine Park, "Hermaphrodites in Renaissance France," *Critical Matrix* 1 (1985): 1-19; Freccero; Lauren Silberman, "Mythographic Transformations of Ovid's Hermaphrodite," *Sixteenth Century Journal* 19 (1988): 643-52; Julia Epstein, "Either/Or—Neither/Both: Sexual Ambiguity and the Ideology of Gender," *Gender* 7 (1990): 99-142; Naomi Yavneh, "The Spiritual Eroticism of Leone's Hermaphrodite," in *Playing with Gender: A Renaissance Pursuit*, ed. Jean R. Brink, Maryanne C. Horowitz, and Allison P. Coudert (Urbana, IL, 1991), pp. 85-97; Jones and Stallybrass, pp. 80-111.

<sup>12</sup> Epstein, p. 107.

<sup>13</sup> *Ibid.*, p. 124. Epstein is not alone in ascribing this view to Aristotle; Daston and Park, p. 5, do likewise. But in a review of *Making Sex* (Park and Nye [n. 5 above]), Park recants

Yet Aristotle in fact maintained that “hermaphrodites” (a term he would not have used, given its later coining) were truly either male or female (depending upon the predominance of their organs). He insisted that identification of the hermaphrodite’s “real” (i.e., male or female) sex was entirely a matter of observation. Apparent secondary sex traits inconsistent with the “true” sex of the being were explained away as analogous to tumors.<sup>14</sup> Indeed, Aristotle was among the earliest thinkers who sought to enforce the incommensurability of masculine-male and feminine-female on biological grounds.<sup>15</sup> It is implausible, therefore, to count Aristotle among the allies of an “expansive” conception of “humankind and its variations” and, hence, of sexual ambiguity.<sup>16</sup>

Epstein’s treatment of later thought is similarly problematic. For example, she claims (again without full citation of primary sources) that “hermaphrodites resided in the realm of divine semiotics in antiquity and the early Middle Ages and were frequently put to death.”<sup>17</sup> In other words, she alleges, the birth of a hermaphrodite was simply regarded to be an omen or divine portent, stemming from a “belief in the supernatural and astrological origins for hermaphroditism.”<sup>18</sup> It is true that such convictions were held in the classical and medieval worlds. For instance, the widely influential *Etymologies* of Isidore of Seville discusses hermaphrodites—“so-called because they appear to be either or both of the sexes”—under the heading of “portents,” which are ascribed to the divine will.<sup>19</sup> Yet Isidore’s position by no means exhausts the range of premodern views regarding intersexuality. There is much evidence to

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this claim: “Asserting the incommensurability of male and female, Aristotelians tended to claim that . . . perfect hermaphroditism was impossible” (p. 54).

<sup>14</sup> Aristotle *De generatione animalium*, ed. A. L. Peck (Cambridge, MA, 1953), 4.4, 772b26–32: “Some creatures develop in such a way that they have two generative organs, one male, the other female. Always, when this redundancy happens, one of the two is operative and the other inoperative, since the latter, being contrary to nature, always gets stunted so far as nourishment is concerned; however, it is attached, just as growths (or tumors) are.”

<sup>15</sup> Cadden (n. 5 above), pp. 23–25. However, Judith A. Swanson argues in her paper “The Politics of Androgyny: Aristotle on Gender Roles” (Boston University, 1994, unpublished manuscript) that Aristotle still posits an essentially androgynous substructure for human (and other) beings that is prior to the emergence of sexual dichotomy. In this, she seems to confirm elements of Laqueur’s thesis in *Making Sex* (n. 3 above). We thank her for making her research available to us prior to its publication.

<sup>16</sup> Epstein, p. 107.

<sup>17</sup> Ibid., p. 101.

<sup>18</sup> Ibid., p. 107.

<sup>19</sup> Isidore of Seville, *Etymologiarum sive Originum*, 11.3, ed. W. M. Lindsay (Oxford, 1911).

suggest that hermaphrodites were tolerated (at least so long as they conformed to one or another gender role). And medieval natural philosophers and physicians consistently adduced purely naturalistic explanations for the generation of hermaphrodites.

For the most part, however, the analysis of hermaphroditism before the sixteenth century has not been so much inaccurate as simply fragmentary. While discussions of the topic in Danielle Jacquart and Claude Thomasset's *Sexuality and Medicine in the Middle Ages*, Laqueur's *Making Sex*, and Cadden's *Meanings of Sex Difference in the Middle Ages* are useful, none of these works treats intersexuality in a systematic fashion.<sup>20</sup> Cadden, for instance, conflates intersexuality with other forms of sexual ambiguity, despite the fact that many of the texts she cites posit a wholly biological grounding for hermaphroditism that distinguishes it from "transvestite acts," "homoerotic behavior," and similar "irregularities."<sup>21</sup> Laqueur treats the hermaphrodite as merely an especially compelling illustration of the one-sex model: "For hermaphrodites, the question was not 'what sex are they *really*,' but to which gender the architecture of their bodies most readily lent itself."<sup>22</sup> This conclusion is not based, however, on a close examination of primary materials. Laqueur tends to take for granted that attitudes expressed in early modern Europe were also typical of earlier times.<sup>23</sup>

These deficiencies in the existing scholarship, then, suggest the need for a fuller examination of the evidence regarding hermaphrodites prior to the Renaissance.<sup>24</sup> By doing this, we may extend our theoretical understanding of the complexities involved in the historical and cultural construction of both sex and gender.

#### THE TWELFTH-CENTURY TERRAIN

Europe in the twelfth century offers especially promising ground for initiating such an examination of the hermaphrodite. One reason perhaps was the relative eclecticism of twelfth-century learning. Twelfth-century thinkers were not yet subject to the powerful influences of Aristotle and Avicenna that accompanied the transmission of their works on medicine

<sup>20</sup>Danielle Jacquart and Claude Thomasset, *Sexuality and Medicine in the Middle Ages*, trans. Matthew Adamson (Princeton, NJ, 1988).

<sup>21</sup>Cadden, pp. 202, 209–18.

<sup>22</sup>Laqueur, p. 135.

<sup>23</sup>*Ibid.*, pp. 135–36, 138, 141–42.

<sup>24</sup>In another vein, the hermaphrodite is also ignored by James A. Brundage's encyclopedic *Law, Sex, and Christianity in Medieval Europe* (Chicago, 1987).

and natural philosophy beginning just before 1200.<sup>25</sup> Consequently, their views on modes of sexual difference instead drew on a diverse body of classical and Christian sources, literary and legal as well as medical and philosophical. The twelfth century was a time of intense intellectual growth and production in many fields of learning and letters. This seems to have exercised a direct impact on attitudes toward alternate sexual natures. As John Boswell has observed, the twelfth century demonstrated a “lively scientific interest in hermaphrodites” that was not matched during the thirteenth and fourteenth centuries. He offers as evidence the tendency to confuse hermaphroditism with homosexuality during the later period, whereas the two were clearly distinguished in earlier times.<sup>26</sup>

The idea of the hermaphrodite makes an appearance in a vast array of twelfth-century writings: treatises on medicine and natural philosophy, no less than moral and legal tracts, address the topic of intersexuality. In spite of the variety of discourses that evince an interest in hermaphroditism, however, there seems to be a common assumption: that the hermaphrodite constitutes a third and biologically distinct sex. While this claim may have been eclipsed in later centuries, the trisex model seems to have been an unexceptional feature of twelfth-century thought.

Medical writings provide abundant source material for the trisex model. The view that the hermaphrodite is a separate sex was supported by a continuum-oriented conception of the uterus popularized by the main treatise on human reproduction available during the twelfth century, the pseudo-Galenic *De spermate*, probably translated into Latin during the previous century by Constantine the African.<sup>27</sup> Although *De spermate* was of later contrivance, it follows the basic principles of Galen’s reproductive physiology.<sup>28</sup> Galen’s theory of reproduction stems from his postulation of the female uterus as an active agent in the process of generation, implicated alongside the male semen in determining the anatomy (and thus the sex) of the fetus. The uterus and the semen are seen as natural faculties producing and receiving varying amounts of blood and heat. Rather than regarding heat and blood (the determinants of sex) as exclusive male-masculine properties, Galen constructs a continuum for hot and cold, and the thickness and thinness of blood; these

<sup>25</sup> For an overview of the Latin reception of Avicenna’s *Canon*, see Marie-Thérèse d’Alverny, *Avicenne en Occident* (Paris, 1993).

<sup>26</sup> John Boswell, *Christianity, Social Tolerance, and Homosexuality* (Chicago, 1980), pp. 375–76, n. 50.

<sup>27</sup> Jacquart and Thomasset, pp. 22–26, examine the contributions of Constantine the African to medieval Latin thought.

<sup>28</sup> The account in the remainder of this paragraph is based on Cadden (n. 5 above), pp. 35–37.



vary less according to the sex of the parent than to the warmer right and colder left division of both testes and uterus.

This framework is developed in *De spermate*, which depicts the uterus into which the seed flows as arrayed from right and left (and from hot to cold). The sex of the embryo will be determined by the particular region into which a specific sort of seed settles.

If the seed falls into the right-hand part of the womb, the child is a male. . . . However, if a weak virile seed there combines with a stronger female seed, the child, although male, will be fragile in body and mind. It may even happen that from the combination of a weak male seed and a strong female seed there is born a child having both sexes. If the seed falls into the left-hand part of the womb, what is formed is a female . . . and if the male seed prevails, the girl child created will be virile and strong, sometimes hairy. It may also happen in this case that as a result of the weakness of the female seed there is born a child provided with both sexes.<sup>29</sup>

The implication of this explanation of the process of sexual determination is clear: it is possible for a child, generated of especially weak seed in the middle of the uterus, to be neither male nor female, or in essence, to have the combined natures of both. For *De spermate*, an “effeminate male” or “masculine female” still retains a male or female identity; by contrast, the child “provided with both sexes” is beyond binary sexual classification.

The main contours of the reproductive theory of *De spermate* gained wide acceptance from twelfth-century physicians and philosophers, although some significant elaborations occurred. In particular, the uterus came to be conceived spatially as consisting of seven compartments or cells into which the seed might flow and be nurtured. The sex of the child was directly related to the cell in which the seed was nourished.<sup>30</sup> This innovation seems to have arisen from the School of Salerno. A *quaestio* of Salernitan origin argues: “If more of the womanly sperm is set in the right part, a manly woman will be generated. If more in the left than the right, and there is more of the manly seed than the womanly, an effeminate man will be born. If in the middle chamber, so that it is subject to the impression of both parts, there will be a hermaphrodite, since it will have and produce the equipment of the body of both one and the other.”<sup>31</sup> In this text, the naturalistic foundation of intersexual

<sup>29</sup> *De spermate*, fol. 188r, Latin 15456, Bibliothèque nationale, MS Paris, cited by Jacquart and Thomasset (n. 20 above), p. 141.

<sup>30</sup> Cadden, pp. 198–99.

<sup>31</sup> Brian Lawn, ed., *The Prose Salernitan Questions Edited from a Bodleian Manuscript* (*Auct. F.3.10*) (London, 1979), p. 103.

identity is clearly defined. There is a special (middle) chamber that, when filled with seed, will generate a fetus that cannot be assimilated to either the male or female sex. The main elements of this position were echoed throughout the twelfth century by such prominent figures as William of Conches (ca. 1080–ca. 1154) and Nicholas the Physician (fl. late twelfth century).<sup>32</sup>

Moreover, even with the circulation of Avicenna's *Canon* and the Aristotelian treatises on natural philosophy, especially *De generatione animalium*, the distinct sexual identity of the hermaphrodite nonetheless maintained currency. Among the first wave of Aristotelian natural philosophers, Michael the Scot (fl. early thirteenth century) continued to subscribe to the concept of the intersexed nature.<sup>33</sup> Likewise, so great an Aristotelian commentator as Albertus Magnus could still, after repeating Aristotle's insistence that an ostensibly intersexed creature was either truly male or truly female, add the proviso: "Yet sometimes the shape of each part is so complete that it is scarcely possible to discern which of the sexes should prevail."<sup>34</sup> Hence, Albertus could conclude that it "occurs naturally" that some animals have "either sex in one and the same individual, so that, like a hermaphrodite, it is both male and female."<sup>35</sup> In a similar vein, the fourteenth-century surgeon Guy of Chauliac declared that "hermafrodisia is the nature of double kynde."<sup>36</sup> Although the Aristotelian denial of an intermediate sex was commonly accepted, this position did not entirely overwhelm the appeal within medical and philosophical circles of the twelfth-century conception of three sexes.

#### MORAL DIMENSIONS

The dissemination of the view that the hermaphrodite was a third and distinct sex went well beyond the writings of physicians and natural philosophers during the twelfth century. The hermaphrodite was a popular

<sup>32</sup>William of Conches *Dragmaticon philosophiae* (Strasbourg, 1567), p. 24; and *Anatomia Magistri Nicolai Physicus*, ed. F. Redeker, in F. Redeker, "Die Anatomia Magistri Nicolai und ihr Verhältnis zur Anatomia Coppenis und Richardi" (Ph.D. diss., University of Leipzig, 1917). An English translation of the latter work is given in George W. Corner, *Anatomical Texts of the Earlier Middle Ages* (Washington, DC, 1927), pp. 67–86.

<sup>33</sup>Michael Scot, *De secretis naturae* (Amsterdam, 1643), pt. 1, chap. 7, pp. 243–45. On Michael's career, see Norman Kretzmann, Anthony Kenny, and Jan Pinborg, eds., *The Cambridge History of Later Medieval Philosophy* (Cambridge, 1982), pp. 48–49, 58–59.

<sup>34</sup>Albertus Magnus *De animalibus libri XXVI*, 18.2.3, ed. H. Stadler, 2 vols. (Münster, 1916–20).

<sup>35</sup>*Ibid.*, 4.4.102. We wish to thank Ken Kitchell, who is preparing a full English translation of *De animalibus*, for sharing with us his exhaustive knowledge of Albert's natural philosophy.

<sup>36</sup>Margaret S. Ogden, ed., *The Chirurgie of Guy de Chauliac* (Oxford, 1971), p. 529.

image for moralists of the time. Twelfth-century texts varied in their attitudes toward hermaphroditism: some discussed it in matter-of-fact tones,<sup>37</sup> while others condemned it as a “monstrosity.”<sup>38</sup> But there was wide agreement that a hermaphrodite was unique from, and not physically assimilable to, either male or female form.

One of the most innovative and extensive twelfth-century treatments of the hermaphrodite may be found in John of Salisbury’s *Policraticus* (completed in 1159). John’s own subtitle—*Of the Frivolities of Courtiers and the Footprints of Philosophers*—immediately identifies the twin themes of the *Policraticus*: to expose the moral and spiritual dangers posed by courtly service and to advance the alternative values of a life according to philosophical reason and virtue. John is clearly of the opinion that the roles of courtier and philosopher are incommensurable (except perhaps in those rare instances where a ruler is so virtuous that he only associates with men of like goodness): the duties assigned to the courtier require a moral flexibility unbecoming in men of real virtue; and the luxuries and material rewards available at court are nearly impossible to resist. It is folly, John insists, to suppose that one can remain true to the wisdom of philosophy while scrambling for the power and riches that are the tokens of the successful courtier.

In book 5 of the *Policraticus*, John illustrates the predicament of the philosopher-courtier by recasting Ovid’s story of Hermaphroditus and the Fountain of Salmacis. The court has properties not dissimilar to those of the fountain, he says:

Its waters are beautiful to sight, sweet to taste, agreeable to touch, and most pleasant to all the experiences of the senses. But those who enter it are enervated to such a degree of weakness that like effeminate men they are deprived of their nobler sex. . . . For either their sex, vanishing entirely, had degenerated into the inferior sex or they retained enough of the vestiges of their former dignity to assume the identity of a hermaphrodite, who, by a sort of playful error of nature, exhibits the likeness of both sexes, yet retains the true qualities of neither of them.<sup>39</sup>

John’s version of Ovid’s tale is interesting in several respects. He clearly identifies three possible outcomes of a dip in the fountain. The bather

<sup>37</sup> Freccero (n. 8 above), p. 328, n. 12; Cadden (n. 5 above), p. 212.

<sup>38</sup> It is worth noting that “monstrous” did not convey quite the same connotations in medieval Latin that “monster” does in modern English usage; see Epstein (n. 11 above), p. 107.

<sup>39</sup> John of Salisbury *Policraticus*, 5.10, ed. C. C. J. Webb (New York, 1979), trans. Cary J. Nederman (Cambridge, 1990), pp. 90–91. (We have slightly altered the translation from the published version.)

may become an effeminate man, or may be transformed entirely into a woman, or again may find himself taking on the character of a hermaphrodite. Thus, John is able to distinguish between three sorts of genderings (in addition, of course, to the paradigmatic virile male): the effeminate man, the woman, and the hermaphrodite. The hermaphrodite is in sex neither man nor woman; its appearance of having both male and female sexual characteristics belies the fact that it does not partake of the nature of either. The hermaphrodite evidently stands apart as a third sex, which John seems to regard as a kind of source of freakish amusement.<sup>40</sup>

These points are reaffirmed when John directly draws the analogy between the fountain and the court. It is difficult for even the best men to live at court without succumbing to its temptations. No one should imagine himself able to maintain a philosophical demeanor in the face of courtly pressures and temptations. "He who engages in the trifles of the courtier and undertakes the obligations of the philosopher or the good man is a hermaphrodite, whose harsh and prickly face disfigures the beauty of women and who pollutes and dishonors virility with effeminacy. For indeed the philosopher-courtier is a monstrous thing; and, while he affects to be both, he is neither one because the court excludes philosophy and the philosopher at no time engages in the trifles of the courtiers."<sup>41</sup> The picture that John sketches of the hermaphrodite is certainly not a flattering one.<sup>42</sup> But this should not distract our attention from his obvious view that the hermaphrodite cannot be assimilated to either a male or female sexual identity. The rigor of philosophical wisdom and virtue cannot be genuinely realized at court; the attempt to philosophize is mere display, a veneer that hides the true qualities of the alleged practitioner. The same would be true of the hermaphrodite who claimed to be fully male; the intersexed individual would be guilty of perpetrating a fraud. Hermaphrodites, like philosopher-courtiers, have a distinct nature that ought never to be confused with the traits they outwardly manifest.

The image of the hermaphrodite, defined in terms of sexual uniqueness, makes an appearance (of greater or lesser significance) in the work of many other twelfth-century moralists. For example, Bernard Sylvestris's highly idiosyncratic tour of the universe, the *Cosmographia*, which

<sup>40</sup>This is reminiscent of Pliny's widely known remark in *Natural History* 7.3.34 that hermaphrodites in his own day were a source of entertainment.

<sup>41</sup>John of Salisbury, *Policraticus* 5.10; trans. p. 91.

<sup>42</sup>The passage should be placed in the context of John's attitude toward women and effeminacy more generally. See Cary J. Nederman and N. Elaine Lawson, "The Frivolities of Courtiers Follow the Footprints of Women: Public Women and the Crisis of Virility in John of Salisbury," in *Ambiguous Realities: Women in the Middle Ages and Renaissance*, ed. Carole Levin and Jeanne Watson (Detroit, 1987), pp. 82-96.

dates to circa 1150, offers a quasi-mythological explanation for the origin of hermaphrodites. Partially a description of planetary orbit, and in part an account of the properties of the pagan deities, the *Cosmographia* bears little trace of Christian beliefs about nature and its creation; Bernard's debt is instead to the Platonic cosmology of the *Timaeus* and its Latin commentators, as well as to the available sources of classical mythology, such as Virgil and Ovid.<sup>43</sup> During his stop at Mercury, Bernard points to that god's ambiguous and unstable nature: "He determines his own activity by the character of his partner. Epicene and generally promiscuous in his own behavior, he has learned to create hermaphrodites of bi-corporeal shape."<sup>44</sup> The connection between Mercury and hermaphrodites seems to stem from Ovid's tale of the Fountain of Salmacis: Hermaphroditus was the son of Mercury. But the implication here is that the hermaphroditic nature ("bi-corporeal") has a special place in the cosmos.<sup>45</sup> If Bernard seems to ascribe a supernatural, rather than naturalistic, origin to the hermaphrodite, then this is no different than his explanation for the rest of creation: he adheres to ancient cosmology and mythology to account for the existence of all forms of life. Consequently, the hermaphrodite for him would seem to enjoy the same physical/meta-physical status as any other category of existence.

Bernard's reference to hermaphrodites is fleeting. Alan of Lille, by contrast, shows much greater concern regarding hermaphroditic nature. A noted polymath, Alan wrote during the 1160s or possibly 1170s a work entitled *De planctu naturae* (*The Complaint of Nature*), which examines the relation between grammar and gender.<sup>46</sup> While there has been much debate about Alan's intentions in composing *De planctu*, it is clear that he is responding both to the perceived degeneration of contemporary moral values and to the poor and unsystematic structure of Latin grammar.<sup>47</sup> Because of the overlapping quality of his complaints, which weave together moral condemnation and grammatical judgments,

<sup>43</sup> The best general account of Bernard's ideas and their contribution to twelfth-century thought is Brian Stock, *Myth and Science in the Twelfth Century* (Princeton, NJ, 1972).

<sup>44</sup> Bernard Sylvestris *Cosmographia* 2.5.17., ed. Peter Dronke (Leiden, 1978), trans. Winthrop Weatherbee (New York, 1973), p. 103.

<sup>45</sup> Since Mercury is also the messenger god, there may be some implied reference to the supposed role of hermaphrodites as portents, but this connection is never clearly drawn out by Bernard.

<sup>46</sup> On the connection between the elements of Alan's argument, see Jan Ziolkowski, *Alan of Lille's Grammar of Sex: The Meaning of Grammar to a Twelfth-Century Intellectual* (Cambridge, MA, 1985).

<sup>47</sup> The parallel to John of Salisbury is noteworthy: in addition to decrying the current state of morality in the church as well as the temporal sphere in the *Policraticus*, John condemned contemporary practices of grammar and education in his *Metalogicon* (which was composed contemporaneously with the *Policraticus*). John saw definite connections be-

as well as the obscurity of his Latin, Alan's arguments are notoriously difficult to follow. Nonetheless, one ought not to be deterred from exploring his primary fear of the transgression of the gender boundaries set by language.

In the opening section of *De planctu*, Alan laments the fact that "Venus wars with Venus and changes 'hes' into 'shes' and with her witchcraft unmans man."<sup>48</sup> This is commonly read as an accusation that homosexual conduct and/or effeminate practices were on the rise in Alan's time.<sup>49</sup> But Alan in fact says more. He upholds the view that some men are so womanly that they can be classified for purposes of grammar as neither one nor the other. They have lost their masculine identity but are unable to take on entirely feminine qualities: "A man turned woman blackens the fair name of his sex. The witchcraft of Venus turns him into a hermaphrodite. He is subject and predicate: one and the same term is given a double application. Man here extends too far the laws of grammar. Becoming a barbarian in grammar, he disclaims the manhood given him by nature."<sup>50</sup> Latin is a gendered language; even the two most common Latin nouns for the intersexed person, *androgynous* and *hermaphroditus*, are both gendered masculine. Hence, if one takes seriously the distinctive nature of the hermaphrodite, as a not-he/not-she, it is necessary to create a barbarism, a whole new grammatical dimension. For Alan, the creation of such a neologism reflects the decay of the language itself.

Implicitly, then, Alan acknowledges the hermaphrodite to partake of a nature different than either man or woman; if the hermaphrodite were simply assimilable to womanhood, the hallowed structure of language would not be threatened. Regardless of whether Alan is talking literally about an intersexed being or, as seems more likely, about transgressive forms of sexual intercourse, his conception of the hermaphrodite as a challenge to good grammar depends upon a conviction that a third sex exists de facto, regardless of how its origin is explained.

As a result, Alan confronts more directly than his contemporaries the

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tween degeneracy in the realms of public life and of learning. See Michael Wilks, "John of Salisbury and the Tyranny of Nonsense," in *The World of John of Salisbury*, ed. Michael Wilks (Oxford, 1984), pp. 263–86; and Cary J. Nederman, "Knowledge, Virtue and the Path to Wisdom: The Unexamined Aristotelianism of John of Salisbury's *Metalogicon*," *Medieval Studies* 51 (1989): 268–86.

<sup>48</sup> Alan of Lille *De planctu naturae*, ed. N. M. Haring, in *Studi Medievali*, 3d ser., 19 (1978): 797–879, chap. 1, meter 1, trans. J. J. Sheridan, *Plaint of Nature* (Toronto, 1980), p. 67.

<sup>49</sup> Cadden (n. 5 above), pp. 221–23; and John W. Baldwin, *The Language of Sex* (Chicago, 1994), p. 45.

<sup>50</sup> Alan of Lille *De planctu naturae*, chap. 1, meter 1, trans. p. 68.

potentially transgressive character of the hermaphrodite. Alan certainly presses the strictly binary character of gender: "The plan of Nature gave special recognition, as the evidence of Grammar confirms, to two genders, namely, masculine and feminine."<sup>51</sup> But he briefly entertains the possibility of a third grammatical form—the neuter—expressing the existence of an intermediary gender: "Some human beings, deprived of a sign of sex, could, in my opinion, be classified as of neuter gender."<sup>52</sup> This option is not explored further, however, and Alan soon rejects it by insisting upon a strict adherence to a masculine/feminine distinction within Latin grammar. To permit a looser application of grammatical categories, Alan goes on to say, violates not only the discipline of grammar but of logic as well.<sup>53</sup> Binary gender takes absolute precedence over sexual diversity and ambiguity: not only the "divine" plan but also the rules of human language and thought demand this. Alan would perhaps regard it as a token of his own moral and intellectual weakness were he to succumb to the temptation of using the neuter form of Latin to correspond to a third sex.

Alan's willingness to entertain even the possibility of a distinct gender identity for the intersexed nature is wholly untypical of the twelfth century, however. In general, the strict priority of binary gender over tripartite sex was simply taken for granted. The main authority during the Middle Ages for the duality of genders was scriptural, specifically, Gen. 1:27, which proclaims, "Male and female He created them." It might seem to the modern mind that this statement of divine creation warrants the bifurcation of the sexes and rules out the naturalness of the intersexed individual. But an alternate interpretation seems available to twelfth-century thinkers, which permitted the naturalness of hermaphroditic sexuality but insisted upon the primacy of dual genders.

A clear example of such an alternate reading can be found in the *De vitio sodomitico* of Peter the Chanter (d. 1197). A noted Parisian theologian and churchman, Peter concentrated on topics connected with the moral reform of the clergy as well as laity.<sup>54</sup> In this vein, Peter explains Gen. 1:27 with reference to ecclesiastical policy regarding hermaphrodites:

The church allows a hermaphrodite—that is, someone with the organs of both sexes, capable of either active or passive functions—

<sup>51</sup> Ibid., chap. 10, prose 5, trans. pp. 156–57.

<sup>52</sup> Ibid., trans. p. 157 (translation altered).

<sup>53</sup> Ibid., trans. pp. 158–64.

<sup>54</sup> For a general survey of Peter's career and thought, see John W. Baldwin, *Masters, Princes, and Merchants: The Social Views of Peter the Chanter and His Circle*, 2 vols. (Princeton, NJ, 1970).

to use the organ by which (s)he is most aroused or the one to which (s)he is most susceptible. If (s)he is more active, (s)he may wed as a man, but if (s)he is more passive, (s)he may marry as a woman. If, however, (s)he should fail with one organ, the use of the other can never be permitted, but (s)he must be perpetually celibate to avoid any similarity to the role inversion of sodomy, which is detested by God.<sup>55</sup>

Peter does not deny the naturalness of the hermaphrodite, and he evinces no sentiment of horror such as he expresses at the “inverted” practice of sodomy (the inversion stemming from a man playing a woman’s role or vice versa). As John Baldwin remarks, “The Chanter was careful to separate hermaphrodites from direct blame.”<sup>56</sup> But his acceptance of the *fact* of intersexuality does not deter him from insisting that the hermaphrodite must live as either male or female. Culture is more compelling than mere birth in determining the identity of the intersexed person. Indeed, gender is a sort of “second nature,” since Peter refuses to entertain the possibility that a masculine or feminine role, having been assigned, can ever be renounced or altered—even if “first nature” fails to cooperate in the decision. The dominance of a dualistic gender system for Peter is beyond challenge or qualification even in the face of a transgressive third sex.

#### LEGAL DILEMMAS

The intersexed individual caused difficulties of a definite and important kind for medieval legal discourse as well. One of the central problems of medieval jurisprudence was the determination of jurisdiction, that is, whether and in what ways certain classes of persons enjoyed specific rights and liberties, or whether they were subject to the authority of particular courts and rulers. This required some definition of human status and some differentiation between persons. Thus, for instance, it was necessary to discern between free and unfree persons, between levels of social rank (ranging from kings to knights to bondsmen), and so forth. One of the central distinctions was based on sex: free males were endowed with a whole range of rights from which others were excluded. These issues were no less significant in ecclesiastical than in secular courts and were therefore taken up by canon as well as civilian lawyers.

In their discussions of the hermaphrodite, medieval lawyers took as

<sup>55</sup> Peter the Chanter, *De vitio sodomitico*, cited in Boswell (n. 26 above), p. 376. Although Boswell’s use in his translation of the “(s)he” form may be cumbersome, it is difficult to imagine how any other rendering would be coherent.

<sup>56</sup> Baldwin, *The Language of Sex*, p. 44.



their point of departure the texts of the classical Roman lawyers. Roman Law seems to have regarded the existence of hermaphrodites as a purely natural phenomenon. In the *Digest*, there is no suggestion that an intersexed creature counts as anything other than fully human. In delineating “human” from “nonhuman” creatures, the *Digest* states, “Not included in the class of children are those abnormally procreated in a shape totally different from human form, for example, if a woman brings forth some kind of monster or prodigy. But any offspring which has more than the natural number of human limbs may be regarded to be fully formed.”<sup>57</sup> Presumably, the hermaphrodite falls into the latter classification, for the *Digest* later states, in the section on witnesses, that “whether a hermaphrodite can bear witness depends upon the development of the sexual qualities.”<sup>58</sup> Intersexed persons are not automatically precluded from participation in legal proceedings. Rather, their status is dependent upon the preponderance of their traits, although it is unclear who is to determine whether a hermaphrodite inclines more toward the masculine or the feminine.

There is no firm evidence suggesting whether classical Roman Law viewed the hermaphrodite as a separate and distinct sexual nature or as inherently sexed according to a dichotomous scheme. Medieval jurists, by contrast, seemed more willing to explore and draw a conclusion about the issue. Writing near the close of the twelfth century, the Bolognese civil jurist Azo (whose *Summa Institutionum* was widely admired and copied in his own and later centuries)<sup>59</sup> takes up the problem of human status in a vein initially similar to his classical predecessors. He first distinguishes human beings from monsters and their ilk. He states that no creatures are to be counted among one’s children (and hence as human) “who are procreated perversely contrary to the form of the human genus, such as if a woman were to give birth to a monstrosity or a prodigy.”<sup>60</sup> But Azo immediately goes on to address sexual distinction among human beings: “There is another division between human beings, namely, that some are male, others are female, others are hermaphrodites.”<sup>61</sup> Here he seems to depart from classical sources, for he states explicitly that there are three distinct categories of human beings, and thus

<sup>57</sup> *The Digest of Justinian*, 1.5.14, ed. T. Mommsen, P. Krueger, and A. Watson (Philadelphia, 1985).

<sup>58</sup> *Ibid.*, 22.5.15.

<sup>59</sup> For instance, Azo was a major source for the Bractonian *De legibus et consuetudinibus Angliae*, which copied the *Summa* faithfully, including its discussion of hermaphrodites. See S. E. Thorne’s edition of *De legibus*, 4 vols. (Cambridge, MA, 1968–77), 2:31–32.

<sup>60</sup> Azo *Summa Institutionum* (Venice, 1610), 1.5, no. 4.

<sup>61</sup> *Ibid.*, 1.5, nos. 1–5.

postulates a third, hermaphroditic sex. Not only are hermaphrodites not “accidents” or “freaks” of nature—they are unproblematically human—but for Azo they also seem to constitute a naturally generated and physically distinct sex.

Azo observes the tripartite distinction of human beings without any further explanation; he goes on instead to remark upon the “inferior condition” of women, and perhaps by implication also of hermaphrodites as an intermediate sex between male and female.<sup>62</sup> The very off-handedness of Azo’s statement suggests that he regarded his proposed trisexual division to be uncontentious. The problem, instead, is posed by the binary assumptions about gender implicit within legal codes. Thus, Azo insists upon a criterion, separate from that of sex, for designating the gender of the person. In language reminiscent of the *Digest*, he states, “A hermaphrodite is established as either male or female according to the prevalence of its sexual development [*incalescentis*].”<sup>63</sup> Note that this does not entail a denial of a natural basis for the hermaphrodite, only the additional requirement that the intersexed individual must choose (or have chosen for it) one of the two available gender roles. Azo leaves it unclear who enjoys jurisdiction to make the determination of gender identity; quite possibly, he regarded it as a matter of judicial decision or confirmation.

Issues of sexual nature and identity were likewise raised in the work of medieval canon lawyers grappling with similar problems of jurisdiction and status. Gratian’s great mid-twelfth-century monument of church law, the *Decretum*, shares with the civilians concern about the ability of different persons to bear witness in judicial proceedings. In his discussion of who may testify and make accusations, Gratian reproduces exactly the statement of the civil law *Digest*: “Whether a hermaphrodite can bear witness depends upon the development of the sexual qualities.”<sup>64</sup> Once again, little can be extrapolated from this position, beyond the acceptance of the possibility that “developed,” presumably masculine, hermaphrodites enjoy the same status in ecclesiastical as in temporal courts. Nor did twelfth-century glosses and commentaries inspired by the *Decretum* necessarily find the status of hermaphrodites to be ambiguous. Some glosses, such as the anonymous *Summa “Elegantius in iure divino,”* simply restate nearly verbatim Gratian’s position: “Whether a her-

<sup>62</sup> An inference first suggested to us by Cynthia Neville during a conversation in February 1995.

<sup>63</sup> Azo *Summa Institutionum*, 1.5, no. 5.

<sup>64</sup> Gratian *Decretum* 2.4, questions ii and iii, 3.22, ed. A. L. Richter, *Corpus Iuris Canonici* (Graz, 1959).

maphrodite is able to be a witness is indicated by the development of his sexual qualities.”<sup>65</sup>

Other commentators, however, clearly felt that lingering uncertainty about the identity of the hermaphrodite invited elaboration. For example, the *Summa Parisiensis*, which has been dated to about 1160, contains an intriguing account of hermaphroditic nature. Consistent with legal tradition regarding intersexed persons, the author comments that “if they prevail more toward the masculine [*viris*], they are to bear witness just as [*tamquam*] men.” One might infer from this that while hermaphrodites are not in fact male, the predominance of masculine traits permits them to be gendered male for purposes of legal status. Such an inference seems warranted by a further reference to the Ovidian mythical origin of Hermaphroditus out of the union of Mercury (or Hermes) and Venus. The author concludes, “For this reason, Hermaphroditus was brought forth by his birth with both forms,” that is, of male and female.<sup>66</sup> For the *Summa Parisiensis*, the mythical progenitor of the hermaphroditic nature cannot be assimilated to the “form” of either male or female. By being both, the hermaphrodite can be neither; and at best, the legal status of the intersexed individual depends upon a predominate resemblance to man or woman.

Similar considerations are at work in the *Summa Decretorum* of Rufinus of Bologna. Working in the second half of the twelfth century, Rufinus produced a commentary on Gratian that is about twice the length of the *Summa Parisiensis*. Commenting on the passage of the *Decretum* regarding who may give testimony, he initially glosses “hermaphroditus” in the conventional manner as “one who has both of the sexes.” But his explanation of sexual “development” and its implications for testimony is far more thorough than in preceding commentaries. *Incalscientis* denotes “masculinity,” he declares, “For if the masculine sex predominates in him, he can give testimony; if the female, by no means [can she do so]. But there may be an unusual case, for reasons stated, when even the testimony of women may be admitted according to the law; yet it is understood concerning testimony that whenever women are not permitted to be witnesses, therefore neither can those hermaphrodites who incline towards the female sex.”<sup>67</sup> Rufinus’s analysis of the legal situation still leaves begging the question of who is to determine the appropriate “level” of the sexual development of the hermaphrodite. But

<sup>65</sup> *Summa “Elegantis in iure divino” seu Coloniensis* 4.94, ed. Gerard Fransen and Stephan Kuttner, 2 vols. (The Vatican, 1935–78).

<sup>66</sup> *Summa Parisiensis* 2.4, questions ii and iii, s.v. “hermaphroditus,” ed. Terence P. McLaughlin (Toronto, 1952).

<sup>67</sup> Rufinus of Bologna *Summa Decretorum* 2.4.3, s.v. “hermaphroditus,” ed. Heinrich Singer (Aalen/Paderborn, 1963).

he clearly accepts hermaphrodites as not only human but also as distinct in their sexual nature from male and female creatures. Much like Peter the Chanter, however, he insists that this third sex must be “gendered” either masculine or feminine, at least for purposes of legal status. One may be born with the nature of the hermaphrodite, but one must be classified according to standard bifurcation of gender identity.

#### SEX AND GENDER IN THE TWELFTH CENTURY

The hermaphrodite was clearly a familiar figure on the intellectual landscape of the twelfth century.<sup>68</sup> Given this intense interest, one might well wonder whether Europe during the 1100s had undergone a rapid growth in the birth of intersexed individuals. We have unearthed no evidence supporting such a conclusion, however. Nor have we discovered any court cases, whether secular or ecclesiastical, in which the validity of a witness was challenged on the grounds of the “development” of that person’s sexual characteristics. Rather, the hermaphrodite seems to have represented an intriguing intellectual problem in an age determined to draw clear distinctions and boundaries—logically, politically, culturally, and socially. As a creature that defied rigid bifurcation, the hermaphrodite induced comment, sometimes in order to fix sexual and gender identity in relation to the emerging juridico-legal order, at other times to criticize perceived challenges to the disciplinary regimes of medieval Europe. In the former case, intersexed individuals were rigorously classified according to the binary gender demands of classical and Christian law. In the latter case, they acquired a symbolic status insofar as they came to signify the threat of social disintegration, moral decline, and linguistic barbarism, as the discussions of hermaphroditism by John of Salisbury and Alan of Lille suggest. In both the legal and moral spheres, hermaphrodites signaled the loss of order.

Yet there remained an awareness that hermaphroditic sexuality was inherently different from either male or female, that it formed its own

<sup>68</sup> Another potentially fruitful source, left unexamined here, is the medieval bestiary, which was often little more than a moralizing tract that categorized and described the follies of mankind. Bestiaries treated the hyena (and sometimes the goat) as lacking a stable gender—“neither male nor female.” See T. H. White, *The Book of Beasts, Being a Translation from a Latin Bestiary of the Twelfth Century* (New York, 1954), pp. 31–32. The treatment of the hyena as a hermaphroditic creature has a long history. Boswell (n. 26 above) includes in an appendix a chapter of the *Paedagogus* of the third-century Greek thinker Clement of Alexandria, who reports in connection with the hyena the view “that the same animal has at the same time both types of genitalia, those of the male and of the female, as some have thought, telling of marvelous hermaphrodites and creating a whole new type—a third sex, the androgyne, in between a male and a female” (p. 356). Clement, who adopted a dualistic stance under the influence of Aristotle, disapproves of this claim, however.

unique nature. Does the twelfth-century idea of the hermaphrodite thereby constitute a counterexample to the general conclusions of Thomas Laqueur (and Michel Foucault before him), for whom the definition of sex is subject to the moral and social conventions of a rigidly enforced binary gender system?<sup>69</sup> It might seem so. Whereas Laqueur was led to assert that the sociocultural ascription of gender took historical precedence over the medical determination of sex, our discussion of the hermaphrodite points to the need for a more “dialectical” interpretation of sex and gender. The salient issue is less whether sex or gender was the determining factor in the premodern world than how their relationship was subject to mutual regulation. The unsettled predicament of the “sex versus gender” question may be observed in the problematic confrontation during the twelfth century between the admission of the biological distinctiveness of intersexed individuals, on the one hand, and the regimentation of binary gender required by the moral and social order, on the other.

Yet we do not think that the idea of a third sex in the twelfth century by any means entails an outright rejection of Laqueur’s views regarding belief in a one-sex hierarchical continuum. Medieval acceptance of the distinct nature of the intersexed individual may indeed be used to corroborate the one-sex approach. For, in one sense, the hermaphrodite—understood as a human being uniting both male and female sexes—is testament to the one-sex model’s conception of a vertical continuum of sexual difference. Like the second sex, the third sex seems to reinforce the idea of a single nature, of which the male-sexed body is the fullest realization. This emerges with special clarity in twelfth-century writings (such as Alan of Lille’s *De planctu*) in which the hermaphrodite is castigated for embodying a sexuality that inclines toward effeminacy, that is, which ultimately “unmans man.”

Consequently, the proliferate sexual difference of the hermaphrodite failed to generate opportunities for transgression of the established organization of gender. The two-gender system was rarely questioned even in the very twelfth-century discourses that articulated the trisex model. With the hindsight of many centuries, we may see that the multiplication of sexes has, in principle, transformative implications. Yet multivariant sexuality could also effectively reinforce or condone the exclusion or

<sup>69</sup>In his introduction to *Herculine Barbin*, trans. Richard McDougall (New York, 1980), Foucault claims that prior to the Enlightenment there was no conception of “true sex,” so that hermaphrodites were free to assert their gender in a legal forum (pp. vii–viii). We concur with Laqueur (n. 3 above) that Foucault was “utopian in his political claim; gender choice was by no means open to individual discretion” (p. 124). But Foucault is surely correct in his view that dualistic gender, consciously constructed through the legal and moral apparatus, was the source of a hermaphrodite’s identity.

denigration of the female sex and/or women. As Cadden points out, "The diversity of options [for sexual identity] did not necessarily weaken or dilute medieval gender constructs"; on the contrary, "the flexibility of language and concepts allowed 'feminine' and 'masculine' to be frequently invoked in widely divergent conditions and contexts."<sup>70</sup> This certainly characterizes the situation of the hermaphrodite in the twelfth century. So, far from altering significantly androcentric structures, the acknowledgment of a separate hermaphroditic nature strengthened the need for the strict enforcement upon intersexed individuals of dichotomous legal classifications, as well as for the discipline of bodies in conformity with the expectations of binary gender. We see this demand in both theological (Peter the Chanter) and legal (Rufinus) writings.

In sum, we may conclude that the male-sexed body and masculine gender remained the norm, against which all other sexual qualities were judged, and that womanhood was the standard deviation from this norm. Despite the open admission by twelfth-century physicians, philosophers, and lawyers of the unique nature of the hermaphrodite, medieval thought continued to embrace a singular vision of humankind that designated "masculinity" as its completion and that imposed two genders as the ordained extent of difference.

<sup>70</sup>Cadden (n. 5 above), p. 226.